



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2015

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH

CRL.O.P.(MD)No.2035 of 2014
and M.P.(MD) Nos.1 & 2 of 2014

1.Arumugam
2.Sakthivel
3.Rajavel

.. Petitioners/A2, A3 and A1
.. Vs ..

1.State: Rep. by
The Deputy Superintendent of Police,
Kumbakonam Sub Division,
Thanjavur District
(In Crime No.1128 of 2010) ..Respondent/Complainant

2.R.Umamaheswari .. Respondent/Defacto
Complainant

PRAYER: Criminal Original Petition filed under section 482 of the Code of Criminal Procedure, praying to call for the records in connection with the proceedings in S.C.C.No.71 of 2011 on the file of the 1st Additional District and Sessions Court(PCR) Thanjavur, and quash the same .

For Petitioners : Mr.D.Selvanayagam
For R1 : Mr.K.Anbarasan
Government Advocate(Crl.side)
For R2 : Mr.V.Achuthan

O R D E R

The petitioners, who are arrayed as accused, seek to quash the proceedings in S.C.C.No.71 of 2011 on the file of the 1st Additional District and Sessions Court(PCR) Thanjavur.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.side) appearing for the first respondent.

3.The learned counsel for the petitioner submitted that the entire allegations are not true and there is no material to substantiate their allegations. Some of the petitioners have been wrongly roped in the case for the offence under Section 307 IPC without any basis.

4.The learned Government Advocate appearing for the first respondent submitted that the trial is at ripe stage and the case is fit for examination of Investigating Officer.

5.This Court does not find any merit to quash the proceedings



and no valid grounds have been raised for quashment. Accordingly, this petition is dismissed. Consequently, connected M.P.(MD) Nos.1 & 2 of 2015 are also closed. However, the learned counsel for the petitioners submits that it would suffice, if the personal appearance of the petitioners before the trial Court is dispensed with.

6.In view of the same, all the issues are left open to be raised before the Court below. Considering the submission made, personal appearance of the petitioners before the Court below is dispensed with until and unless the same is required.

7.Learned 1st Additional District and Sessions Court (PCR) Thanjavur, is directed to dispose of S.C.C.No.71 of 2011 without being influenced by any of the observations made in this order.

Sd/-

Assistant Registrar (Per.Admn)

/True Copy/

Sub-Assistant Registrar

To

- 1.The 1st Additional District and Sessions Judge (PCR),
Thanjavur
- 2.The Deputy Superintendent of Police,
Kumbakonam Sub Division, Thanjavur District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+One cc to Mr.D.Selvanayagam, Advocate, SR.No.23788

ses

RL/5 c- 21/5/2015

CRL.O.P. (MD) No.2035 of 2014
and M.P. (MD) Nos.1 & 2 of 2014
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